

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

WALTER FERGUSON,

Plaintiff,

v.

Civil Action No. 3:24CV412

JOHN WORKING,

Defendant.

MEMORANDUM OPINION

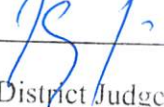
Plaintiff, a Virginia inmate proceeding *pro se*, submitted a letter noting his intention to sue “his attorney for violating [his rights] during the court process.” (ECF No. 1, at 1.) Plaintiff asked for the “proper paper work.” (*Id.*) By Memorandum Order entered on June 27, 2024, the Court explained that it did not have forms to sue an attorney. (ECF No. 2, at 1.) The Court further noted that if Plaintiff wished to file a complaint, he could do so. (*Id.*) To the extent that Plaintiff wished to challenge the fact or duration of his confinement, the Clerk forwarded him a standard form for filing a petition for a writ of habeas corpus under 28 U.S.C. § 2254.

The Court ordered that Plaintiff must complete the form for **either** a 28 U.S.C. § 2254 petition **or** file a complaint within thirty (30) days of the date of entry hereof. The Court noted that the failure to complete either a § 2254 form appropriate form and or to file a complaint within thirty (30) days of the date of entry hereof will result in the dismissal of the action. *See* Fed. R. Civ. P. 41(b).

More than thirty (30) days have elapsed, and Plaintiff has not responded. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall issue.

Date: 5 August 2024
Richmond, Virginia

/s/ 
John A. Gibney, Jr.
Senior United States District Judge